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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/742,930	12/23/2003	Jae Bum Kim	8733.997.00-US	9687

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EXAMINER

PENG, CHARLIE YU

ART UNIT PAPER NUMBER

2883

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8m

Office Action Summary	Application No.	Applicant(s)	
	10/742,930	KIM, JAE BUM	
	Examiner	Art Unit	
	Charlie Peng	2883	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-15 is/are allowed.
- 6) ☒ Claim(s) 9-12 is/are rejected.
- 7) ☒ Claim(s) 9 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/742,930.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 9 is objected to because of the following informalities: on line 4, the word "fiber" should be "fibers".

Claim 13 is objected to because of the following informalities: on line 5, the word "fiber" should be "fibers", on line 10, the phrase "a second optical fiber" should be "second optical fibers". The prosecution of the instant application is based on these corrections because it is unreasonable that a single optical fiber can be large enough to "surround" an entire light source or an entire light-guiding plate.

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 9, 10, 12 and are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. PGPub 2004/0022050 to Yamashita et al. Yamashita teaches, in a first embodiment illustrated in **Fig. 5**, a light source device having a light guiding plate **6**, two primary light sources **1** on both sides of the light guiding plate, and a reflecting plate **7**

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below the light guiding plate. Yamashita further teaches, in a second embodiment illustrated in **Fig. 13**, a primary light source arrangement where light from one LED **30** (a light source) is converted by an plastic optical fiber array **32**, which then makes the light incident on the light guiding plate **6**. **([0148])** The light source can be a self-emitting light source such as a cold-cathode tube, a fluorescent tube, an LED or an LED array. **([0082])**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamashita et al. as applied to claim 9 above, and further in view of U.S. Patent 5,252,733 to Norman et al. Yamashita et al. teach the backlight unit except for a particular type of glass that is used to create the optical fiber. Glass and plastic are two known materials used to mass-manufacture optical fibers. Norman et al. teach a usage of fluoride glass optical fibers. **(Column 1, lines 10-39)** It would have been obvious to one having ordinary skill in the art at the time the invention was made to use fluoride glass optical fibers, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a

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matter of obvious design choice. In re Leshin, 125 USPQ 416. The motivation would be to use the fluoride glasses as high transmittance optical fibers.

Allowable Subject Matter

Claim 13 is allowed. The following is a statement of reasons for the indication of allowable subject matter. Yamashita teaches a light source device having a light guiding plate, two primary light sources on both sides of the light guiding plate, and a reflecting plate below the light guiding plate. Yamashita does not teach a second reflecting plate and second optical fibers to connect the main and sub light-guiding plates. The Examiner finds no obvious motivation for multiplicity of these integral parts as the design of the instant application is different from Yamashita and available prior art. It is thus the Examiner's opinion that the prior art of record, taken alone or in combination, fails to disclose or render obvious in combination with the rest of the limitations of the claim.

Claims 14 and 15 are allowed by virtue of being dependent upon allowed claim 13.

Conclusion

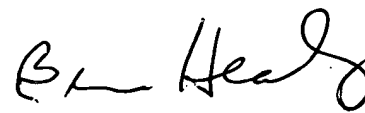
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlie Peng whose telephone number is (571) 272-2177. The examiner can normally be reached on 9 am - 6 pm M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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